and the statement was made that if the services to be rendered were satisfactory the employee could have the position as long as she wished to keep it. The employee was afterwards dismissed without notice and without any reason being given. The court holds that such a contract is not enforceable unless the employee fixes the period over which his services are to extend at the time he presents himself for work.

LIBEL—PUBLICATIONS LIBELOUS PER SE.—Upon authority of the *Triggs Case* (71 N. E. 742), recently before the Court of Appeals, the Appellate Division, First Department, holds in the case of *Woolworth* v. *Star Co.*, 90 New York Supplement, 147, that the publication in a daily paper of a news item to the effect that plaintiff's wife had left him because he neglected everything, herself included, in his absorbing pursuit of millions, was libelous *per se*, in that it held up the plaintiff to the contempt and scorn of the public. It is interesting to note that the paragraph was part of an article published in the defendant's newspaper relating to the plaintiff, and to his great success in establishing his business, evolving interests of great magnitude from very small beginnings.

INTOXICATING LIQUORS—"RETAILING" INTOXICATING LIQUORS.—It is held in *Friedman* v. *Commonwealth*, 83 S. W. 1040, that where a licensed wholesale liquor dealer makes an agreement with his agents to give them one quart of whiskey for each sale by the agents of five gallons, such a transaction is, as to such quart given to the agent, a retailing of liquor without a license therefor. The court points out that instead of paying money for the liquor the agent performs services in order to pay for it.

INNKEEPER—DEGREE OF CARE.—In the case of *Clancy* v. *Baker*, 131 Fed. 161, the Circuit Court of Appeals for the Eighth Circuit discusses the question as to whether innkeepers are to be held to the same degree of care as is required of carriers, or, in other words, whether they must exercise the "utmost care" for the protection of their guests. In this case a six year old boy, the son of a guest of the hotel, was injured by one of the hotel's servants while the latter was not on duty, and it was sought to hold the hotel management liable in damages. Relief was denied by a divided court, however, Judge Thayer dissenting in an opinion.

ROBBERY—FORM OF INDICTMENT—SEC 3674, VA. CODE 1904.—In a recent case, *Commonwealth* v. *Stallings*, the Circuit Court of Henrico (Judge Clopton, presiding), sustained a demurrer to an indictment for robbery, which only alleged that the accused made "an assault and in bodily fear feloniously did put and violently did take and steal," but did not set out the form of violence, whether it was by strangulation, or suffocation, or striking, or beating, etc., the court holding that it was necessary to state specifically the form of violence by which the robbery was committed.

The form of indictment in Mayo's Guide, p. 611, is incorrect in this particular. C. B. G.